

APPENDIX A

Telecommunications service disclosures.

(1) Any person who offers telecommunications services directly or indirectly to the public for compensation, whether or not pursuant to a Commission-approved tariff, shall:

- A. Clearly and conspicuously disclose in all written materials distributed to the consumer the key rates, terms, and conditions to which the consumer will be required to agree as a condition for obtaining telecommunications services;
- B. Provide each consumer, at the time an order for services is made, with a written confirmation of the order containing the key rates, terms, and conditions of each of the services ordered and obtain the consumers consent, in writing; and
- C. Provide a consumer, immediately upon the completion of any transaction with an entity engaged in the transaction, with a written copy of each contract or agreement which contains the key rates, terms, and conditions to which the consumer is deemed to agree as a condition for obtaining telecommunications services;

(2) The “key rates, terms, and conditions” to be disclosed to the consumer include, but are not limited to, the following:

- A. The identities and addresses of the entity originating the service and each other entity through which the services will be provided;
- B. The total monthly charge for the service, and each element of service included in that total;
- C. All charges, taxes, or fees, including monthly or other periodic fees and interest, which are not included in the monthly service charge, including discretionary charges.
- D. The date(s) when payment(s) are required to be made;
- E. The minimum amount charged during each month in which the service will be provided;
- F. The duration of the agreement;
- G. The rights and responsibilities of the customer at the time the agreement expires;
- H. The circumstances under which a default will be deemed to occur and the consequences of any default, including the amount of interest and penalties charged in connection with a default;
- I. Name, address and telephone number of the billing entity;

- J. Name, address and telephone number of the entity with authority to restore service in the event of a default;
- K. Name, address and telephone number of the entity responsible for equipment and service repairs;
- L. The refund policy, or if there is no policy, a statement that the agreement is final and no refunds will be made.

(3) The information required by this rule shall be disclosed in a manner which is conspicuous, simple, direct, readily understandable, and designed to call attention to the nature and significance of the information provided. Any terms which are not commonly understood by consumers shall be defined.

(4) The disclosures and documents required by this rule shall be in the same language as principally used in any solicitation leading to the execution of the purchase by the consumer of the telecommunications service.

(5) No agreement for the purchase of telecommunications services is enforceable unless the person offering telecommunications services has complied with this rule.

(6) All entities which receive a benefit from the sale of a telecommunications service to the consumer are jointly and severably liable to the consumer for damages caused by a violation of this rule.